

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

VICKIE D. MAGEE

PLAINTIFF

v.

CAUSE NO. 1:12CV188 LG-JMR

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes before the Court on the Report and Recommendation [13] of United States Magistrate Judge John M. Roper entered in this cause on July 18, 2013. Judge Roper recommends that the Plaintiff's appeal be dismissed with prejudice; and, the Final Judgment in favor of the Commissioner be entered. Plaintiff has filed general and conclusive objections to the Recommendation. After thoroughly reviewing the findings in the Report and Recommendation, the Court finds that the Report and Recommendation should be adopted as the finding of the Court for the reasons that follow.

When any party objects to a Report and Recommendation, the Court must review it *de novo*. See *Kreimerman v. Casa Veerkamp, S.A. de C.V.*, 22 F.3d 634, 646 (5th Cir. 1994); *Longmire v. Guste*, 921 F.2d 620, 623 (5th Cir. 1991). Such a review means that the Court will examine the record and make an independent assessment of the law. The Court need not, however, conduct a *de novo* review when the objections are frivolous, conclusive, or general in nature. *Battle v. United States Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987).

In her response to the Report and Recommendation, Plaintiff merely copies certain language from the Administrative Law Judge's Report and cites Exhibit 6f;

concluding that the ALJ failed to apply the applicable law, after which, Plaintiff states the applicable law. She offers neither any new argument to support her original motion nor any evidence to establish that the Magistrate Judge's analysis and conclusions were incorrect. Therefore, a *de novo* review of Plaintiff's objections is unnecessary. Instead, the Court has reviewed the Report and Recommendation and finds it is neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). It will therefore be adopted as the findings and conclusions of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [13] of United States Magistrate Judge John M. Roper entered in this cause on July 18, 2013, should be, and the same hereby is, **ADOPTED** as the findings and conclusions of this Court.

SO ORDERED AND ADJUDGED this the 6th day of August, 2013.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE